

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

KEILEE FANT, et al.)	
)	
Plaintiffs,)	Case No. 4:15-CV-00253 AGF
)	
v.)	
)	
THE CITY OF FERGUSON,)	
)	
Defendant.)	
)	

**PLAINTIFFS' MOTION TO DISQUALIFY AND
EXCLUDE THE TESTIMONY OF TONY WILKES**

Plaintiffs, by and through undersigned counsel, respectfully move the Court to disqualify and exclude the proposed expert testimony of Tony Wilkes and, in support, state as follows:

1. The City seeks to have Mr. Wilkes testify as an expert as to whether the conditions in the Ferguson Jail meet applicable standards.
2. But Mr. Wilkes's proposed opinions and testimony should be excluded because Mr. Wilkes's proposed testimony does not meet the requirements of Rule 702 of the Federal Rules of Evidence and applicable caselaw.
3. Specifically, Mr. Wilkes's proposed testimony is inadmissible because:
 - a. Mr. Wilkes is not qualified to offer the opinions he seeks to provide.
 - b. Mr. Wilkes's proposed testimony will not assist the trier of fact because 1) it does not have a sufficient factual basis and 2) Mr. Wilkes seeks to testify to inadmissible legal conclusions and his opinions are based on witness credibility determinations.
 - c. Mr. Wilkes failed to employ a reliable methodology that he reliably applied to the facts of the case.

WHEREFORE, based on the foregoing, and the reasons more fully explained in the supporting memorandum of law filed contemporaneously herewith, Plaintiffs request that the Court grant the Motion.

Dated: April 12, 2022

Respectfully submitted,

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